



General Assembly

January Session, 2009

***Raised Bill No. 894***

LCO No. 2611

\*02611\_\_\_\_\_INS\*

Referred to Committee on Insurance and Real Estate

Introduced by:  
(INS)

***AN ACT REQUIRING DISCLOSURE OF AUTOMOBILE LIABILITY  
INSURANCE POLICY LIMITS PRIOR TO THE FILING OF A CLAIM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (*Effective from passage*) (a) The disclosure required under  
2       subsections (b) to (e), inclusive, of this section shall be applicable to  
3       requests for disclosure made on any claim pending on or any claim  
4       filed after the effective date of this section and shall terminate one year  
5       after the effective date of this section.

6       (b) Not later than fourteen days after an insurer receives a written  
7       request by, or on behalf of, an individual that alleges the individual  
8       has suffered bodily injury or death caused in a motor vehicle collision  
9       by an insured under an automobile liability insurance policy issued by  
10      the insurer, the insurer shall provide written disclosure of such  
11      insured's insurance policy limits to the individual making the request.  
12      The disclosure shall be provided in accordance with subsection (d) of  
13      this section.

14      (c) Each written request for disclosure shall be accompanied by a  
15      letter from an attorney-at-law admitted to practice in this state, with or

16 without an affidavit, that sets forth: (1) The type of claim alleged  
 17 against the insured; (2) the date and approximate time of the alleged  
 18 incident that gave rise to the request for disclosure; and (3) a general  
 19 description of the injuries alleged to have been caused by the insured.  
 20 An attorney-at-law who submits a letter requesting disclosure  
 21 pursuant to this section shall include the attorney's juris number in the  
 22 letter. The contents of any letter or affidavit requesting disclosure of  
 23 insurance policy limits pursuant to this section shall not be admissible  
 24 in evidence in any civil action involving the injury or death that gave  
 25 rise to the request for disclosure.

26 (d) The disclosure provided by the insurer shall (1) indicate all  
 27 coverage provided by the insurer to the insured, including, but not  
 28 limited to, any applicable umbrella or excess liability insurance issued  
 29 by the insurer, and (2) include copies of applicable declaration pages  
 30 or similar materials that reflect the insurance coverage provided by the  
 31 insurer to the insured.

32 (e) The requirements of this section shall only apply to an insurer  
 33 with respect to a policy that insures against loss or damage on account  
 34 of the bodily injury or death of any person.

35 Sec. 2. (*Effective from passage*) Not later than January 1, 2011, the  
 36 Judicial Department shall submit a report to the joint standing  
 37 committee of the General Assembly having cognizance of matters  
 38 relating to insurance, in accordance with section 11-4a of the general  
 39 statutes, that specifies the number of automobile injury cases settled as  
 40 a result of the disclosure required in section 1 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

***Statement of Purpose:***

To allow injured parties to obtain information about a tortfeasor's liability insurance policy limits without being required to file an action in court and subsequently seek discovery of such information.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*